

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE:

919 PROSPECT AVE LLC,

Debtor.

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) Chapter 11
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) Case No. 16-13569-SCC
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ORDER DIRECTING THE APPOINTMENT OF A CHAPTER 11 TRUSTEE

Upon the Tenant-Petitioners' Wilmer Rodriguez, Monserrate Rodriguez, Lilian Jesus Vasquez, Florencio Jesus Villa, England Torres, Caridad Maldonado, Rochelle Johnson, Rev. Leander Hardaway, Ikuko Hardaway, Petra Ramos, Evelyn Garcia, Maria Rodriguez, Jose Diaz, Irina Diaz, Yvonne Pagan, Maria L. Lopez, Zenaido Rosendo, Marialuisa Vidal, Mary L. Martinez, Edna Rivera, Katherine Rivera, Maria Santana, Clara Wainwright, Bobby Wainwright, Richard Wainwright, Cerise Campbell, Jose Rivera, Margarita Ramos and Juan Rodriguez (the "Tenants"), Emergency Motion for an Order (I) Granting Relief From The Automatic Stay Pursuant To 11 U.S.C. §362(D) And (II) Dismissing The Chapter 11 Case And Imposing Sanctions (the "Emergency Motion"), and the declarations and exhibits submitted therewith [Dkt. Nos. 16-18]; and upon the Debtor's Response to Tenants' Emergency Motion for Relief from the Automatic Stay; Dismissal of Chapter 11 Case; and Imposition of Sanctions, and the affidavit and exhibits submitted therewith [Dkt. Nos. 26-27]; and upon the Response of the City of New York to Debtor's Opposition to Orders to Show Cause and Joinder of the City of New York in Emergency Motion Filed by the Urban Justice Center on Behalf of The Tenants to Lift the Automatic Stay And/Or Dismiss Chapter 11 Case and for Remand of the 7A Petition to the Housing Court for Trial [Dkt. No. 32]; and upon the record of the hearing held on January 25,

2017 (the “Hearing”), and upon the oral request of the U.S. Trustee for the appointment of a trustee; and no additional notice being required in the circumstances; and after due deliberation and good and sufficient cause appearing therefor; and the Debtor having waived its right to appeal this Order on the record at the Hearing; it is hereby:

ORDERED, pursuant to 11 U.S.C. § 1104(a)(2), that the appointment of a trustee is in the best interests of the estate, its creditors, equity security holders and the tenants and residents of the property; and it is further

ORDERED, that the United States Trustee is directed to appoint a Chapter 11 trustee, with all of the rights, powers and duties authorized under 11 U.S.C. §§ 1104 and 1106; and it is further

ORDERED, that in addition to the rights, powers and duties authorized under 11 U.S.C. §§ 1104 and 1106, the trustee shall have the rights and powers governing administrators appointed pursuant to N.Y.R.P.A.P.L. Article 7-A, to the extent not inconsistent with the trustee’s duties as chapter 11 trustee; and it is further

ORDERED, that the Hearing on the Emergency Motion is otherwise continued *sine die*.

Dated: January 26, 2017
New York, New York

/S/ Shelley C. Chapman
HONORABLE SHELLEY C. CHAPMAN
UNITED STATES BANKRUPTCY JUDGE